

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 351 – SB 539**

May 4, 2009

**SUMMARY OF AMENDMENT (007525):** Deletes all language after the enacting clause. Increases the maximum fine to \$5,000 for assault and to \$15,000 for aggravated assault if the victim is a law enforcement officer.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$3,963,500/Incarceration\*

Decrease Local Revenue – Less than \$100,000

Decrease Local Expenditures – Exceeds \$100,000

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Revenue – Not Significant**

**Increase State Expenditures – Not Significant**

**Increase Local Revenue – Not Significant**

**Increase Local Expenditures – Not Significant**

Assumptions applied to amendment:

- Simple assault is currently punishable as a Class A or Class B misdemeanor. Aggravated assault is currently punishable as a Class C or Class D felony. The proposed amendment does not change the current term of incarceration for these offenses.
- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in revenue as a result of the mandatory minimum fines for these offenses.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/lsc